

Town Board Minutes

The Municipal Review Committee

December 5, 2016

Meeting No. 36

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, acting as the Municipal Review Committee, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 5th day of December 2016, at 6:00 PM and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
KRISTIN MCCracken, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

ABSENT: RONALD RUFFINO, COUNCIL MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for four (4) actions.

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE**

VERIZON WIRELESS NICTER ROAD CO-LOCATION TOWER

The Municipal Review Committee reviewed the Long Environmental Assessment Form on the Verizon Wireless Nictter Road Co-Location Tower matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled “Part 2 Project Impacts and Their Magnitude” which was provided to each member.

PLEASE TAKE NOTICE, that the Municipal Review Committee of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.50 acres.

The location of the premises being reviewed is 69 Cemetery Road, Lancaster, New York 14086, Erie County.

This project is described as the installation of an unmanned wireless communication facility located on the existing property. Said property being located approximately 0.35 miles north of the intersection of Cemetery Road and Broadway (U.S. Route 20). Access to the proposed facility will originate from Cemetery Road utilizing the existing gravel access road.

In general, the installation will consist of the following: Six (6) antennas and related equipment to be mounted to the existing 180± tall self-support tower (184.0± including 4' lightning rod) at a center-line height of 140± an 11'-6" x 16'-0" equipment platform and a 500 gallon propane tank within an existing 70'-3" x 70'-3" fenced compound, and all related coaxial cabling and utility services (power and telephone).

THE FOLLOWING MOTION WAS OFFERED BY
PLANNING BOARD MEMBER KORZENIEWSKI,
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the Verizon Wireless – Nichter Road Co-Location Tower matter identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project, and issue the following Negative Declaration.

REASONS SUPPORTING RECOMMENDATION

- 1. Impact on land - No impact.**
- 2. Impact on Geological Features – No impact.**
- 3. Impacts on Surface Water – No impact.**
- 4. Impact on Groundwater – No impact.**
- 5. Impact on Flooding – No impact.**
- 6. Impact on Air – No impact.**
- 7. Impact on Plants and Animals – No impact.**
- 8. Impact on Agricultural Resources – No impact.**
- 9. Impact on Aesthetic Resources – No impact.**
- 10. Impact on Historic and Archeological Resources – No impact.**
- 11. Impact on Open Space and Recreation – No impact.**
- 12. Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 13. Impact on Transportation – No impact.**
- 14. Impact on Energy – No impact.**

15. **Impact on Noise, Odor and Light – No –impact.**
16. **Impact on Human Health – No impact.**
- It is noted that the installation of a 500 gallon propane tank will not have an impact since it will be installed a safe distance from any residences.
17. **Consistency with Community Plans – No Impact.**
18. **Consistency with Community Character – No impact.**

and,

BE IT FURTHER

RESOLVED, that the MRC’s recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	WAS ABSENT	
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

December 5, 2016

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE**

T-MOBILE CO-LOCATION CELL TOWER

The Municipal Review Committee reviewed the Long Environmental Assessment Form on the T-Mobile Co-Location Cell Tower matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled “Part 2 Project Impacts and Their Magnitude” which was provided to each member.

PLEASE TAKE NOTICE, that the Municipal Review Committee of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately .43 acres.

The location of the premises being reviewed is S. Penora Street, Lancaster, New York 14086, Erie County.

This project is described as the installation of three (3) new panel antennas to their existing antenna platform.

THE FOLLOWING MOTION WAS OFFERED BY
PLANNING BOARD MEMBER MCCRACKEN,
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the T-Mobile Co-Location Cell Tower matter identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project, and issue the following Negative Declaration.

REASONS SUPPORTING RECOMMENDATION

- 1. Impact on land – No impact.**
- 2. Impact on Geological Features – No impact.**
- 3. Impacts on Surface Water – No impact.**
- 4. Impact on Groundwater – No impact.**
- 5. Impact on Flooding – No impact.**
- 6. Impact on Air – No impact.**
- 7. Impact on Plants and Animals – No impact.**
- 8. Impact on Agricultural Resources – No impact.**
- 9. Impact on Aesthetic Resources – No impact.**
- 10. Impact on Historic and Archeological Resources – No impact.**
- 11. Impact on Open Space and Recreation – No impact.**
- 12. Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 13. Impact on Transportation – No impact.**
- 14. Impact on Energy – No impact.**
- 15. Impact on Noise, Odor and Light – No impact.**
- 16. Impact on Human Health – No impact.**
- 17. Consistency with Community Plans – No impact.**
- 18. Consistency with Community Character – No impact.**

and,

BE IT FURTHER

RESOLVED, that the MRC’s recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	WAS ABSENT	
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

December 5, 2016

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE**

Thomann Asphalt Addition

The Municipal Review Committee reviewed the Short Environmental Assessment Form on the Thomann Asphalt Addition matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled “Part 2 Environmental Assessment” which was provided to each member.

PLEASE TAKE NOTICE, that the Municipal Review Committee of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 4.23 acres.

The location of the premises being reviewed is 56 Gunnville Road, Lancaster, New York 14086, Erie County.

This project is described as the proposed one-story 6600 square foot shop addition and office renovations on a developed 4.23± acre parcel.

THE FOLLOWING MOTION WAS OFFERED BY
COUNCIL MEMBER ABRAHAM, WHO MOVED
ITS ADOPTION, SECONDED BY PLANNING
BOARD CHAIRMAN CONNELLY, TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the Thomann Asphalt Addition matter identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project and issue a Negative Declaration.

REASONS SUPPORTING RECOMMENDATION

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

BE IT FURTHER

RESOLVED, that the MRC's recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	WAS ABSENT	
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCracken	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

December 5, 2016

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE
455 PLEASANTVIEW DRIVE – 3 LOT DEVELOPMENT**

The Municipal Review Committee reviewed the Short Environmental Assessment Form on the 455 Pleasantview Drive – 3 Lot Development matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled “Part 2 Environmental Assessment” which was provided to each member.

PLEASE TAKE NOTICE, that the Municipal Review Committee of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 4.53± acres.

The location of the premises being reviewed is 455 Pleasantview Drive, Lancaster, New York 14086, Erie County.

This project is described as seeking the necessary approvals and/or permits to develop a private 3-lot single-family residential development located on a 4.53± acres at 455 Pleasantview Drive in the Town of Lancaster, New York. Additional work will include a private shared driveway and all supporting site infrastructure for the development. The proposed project (“action”) includes all discretionary approvals and/or permits from the Town of Lancaster and involved agencies.

THE FOLLOWING MOTION WAS OFFERED
BY COUNCIL MEMBER WALTER, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the 455 Pleasantview Drive – 3 Lot Development matter identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project and issue a Negative Declaration.

REASONS SUPPORTING RECOMMENDATION

- 1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
- 2. The proposed action will not result in a change in the use or intensity of use of land.
- 3. The proposed action will not impair the character or quality of the existing community.
- 4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
- 6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
- 7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
- 8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
- 9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
- 10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
- 11. The proposed action will not create a hazard to environmental resources or human health.

BE IT FURTHER

RESOLVED, that the MRC’s recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	WAS ABSENT	
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCracken	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

December 5, 2016

ADJOURNMENT:

ON MOTION OF PLANNING BOARD MEMBER KORZENIEWSKI
AND SECONDED BY COUNCIL MEMBER ABRAHAM FOR ADJOURNMENT OF
THE MEETING, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	WAS ABSENT	
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The meeting was adjourned at 6:22 P.M.

Signed _____
Diane M. Terranova, Town Clerk